

APPENDIX 9.6
LOUISIANA CIVIL CASE REPORTING

Civil Case Cover Sheet - LA. R.S. 13:4688, Part G, §13 of the Louisiana Supreme Court General Administrative Rules, and Appendix 9.6 of the Louisiana District Court Rules

This civil case cover sheet shall be completed by counsel for the petitioner, counsel's authorized representative, or by the self-represented litigant (if not represented by counsel) and submitted with the original petition filed with the court. The information should be the best available at the time of filing. This information does not constitute a discovery request, response or supplementation, and is not admissible at trial.

Suit Caption:

Dye vs. IASIS
 Court: 4th JDC Docket Number: 18-1683
 Parish of Filing: Ouachita Filing Date: 5-14-18
 Name of Lead Petitioner's Attorney: J. Michael Rhymes

Name of Self-Represented Litigant: _____

Number of named petitioners: 1

Number of named defendants: 1

Type of Lawsuit: Please check the categories which most appropriately apply to this suit (no more than 3 categories should be checked):

<input type="checkbox"/> Auto: Personal Injury	<input type="checkbox"/> Auto: Property Damage
<input type="checkbox"/> Auto: Wrongful Death	<input type="checkbox"/> Auto: Uninsured Motorist
<input type="checkbox"/> Asbestos: Property Damage	<input type="checkbox"/> Asbestos: Personal Injury/Death
<input type="checkbox"/> Product Liability	<input type="checkbox"/> Premise Liability
<input type="checkbox"/> Intentional Bodily Injury	<input type="checkbox"/> Intentional Property Damage
<input type="checkbox"/> Intentional Wrongful Death	<input type="checkbox"/> Unfair Business Practice
<input type="checkbox"/> Business Tort	<input type="checkbox"/> Fraud
<input type="checkbox"/> Defamation	<input type="checkbox"/> Professional Negligence
<input type="checkbox"/> Environmental Tort	<input type="checkbox"/> Medical Malpractice
<input type="checkbox"/> Intellectual Property	<input type="checkbox"/> Toxic Tort
<input type="checkbox"/> Legal Malpractice	<input type="checkbox"/> Other Tort (describe below) <u>Employment</u>
<input type="checkbox"/> Other Professional Malpractice	<input type="checkbox"/> Redhibition
<input type="checkbox"/> Maritime	<input type="checkbox"/> Class action (nature of case)
<input type="checkbox"/> Wrongful Death	
<input type="checkbox"/> General Negligence	

Please briefly describe the nature of the litigation in one sentence of additional detail:

Employment Discrimination under Title VII and ADA

Following the completion of this form by counsel, counsel's representative, or by the self-represented litigant, this document will be submitted to the Office of the Judicial Administrator, Supreme Court of Louisiana, by the Clerk of Court.

Name, address and contact information of person completing form:

Name J. Michael Rhymes Signature _____

Address 1005 N. 3rd Street Monroe, LA 7120

Phone number: 318-388-4500 E-mail address: jmrhymes@gmail.com

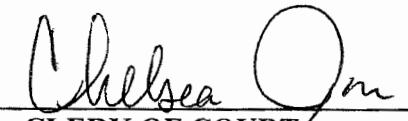
STATE OF LOUISIANA PARISH OF OUACHITA FOURTH JUDICIAL DISTRICT

WENDY BARR DYE

FILED: MAY 14 2018

v. No. 18-1683

IASIS GLENWOOD REGIONAL MEDICAL
CENTER, LP


CLERK OF COURT

PETITION

The petition of WENDY BARR DYE, a major resident and domiciliary of Union Parish, Louisiana respectfully represents that:

1.

Made defendant herein is:

IASIS GLENWOOD REGIONAL MEDICAL CENTER LP, a Louisiana partnership with its principle office and registered office in Baton Rouge, Louisiana (hereinafter "IASIS")

2.

This petition is brought pursuant to the Americans with Disabilities Act as well as state law claims pursuant to Louisiana Civil Code 2315. The state district court has concurrent jurisdiction over all federal claims.

3.

Petitioner is a long-time registered nurse. On October 17, 2016, prior to the events giving rise to this litigation, Petitioner was injured in a horse riding accident. One of the sequela of the injuries was severe migraine headaches, diagnosed and treated at a neurology clinic. Part of

**CASE ASSIGNED TO
CV. SECT. 3**

the treatment was to take, as needed, Fiorecet and Tramadol. Due to the side effects of the drugs, Petitioner did not take same while on duty as a nurse. Petitioner's treating physician certified her as able to practice nursing safely after the accident.

4.

On or about May 10, 2017, Petitioner felt a headache developing while she was on duty at her place of employment with defendant IASIS. Petitioner contacted her supervisor, Eric Daniels, and informed him that she was ill and would have to leave. Petitioner informed the supervisor and other necessary personnel of all care needed for her patients and Petitioner was relieved of duty by her supervisor. Petitioner followed all protocols necessary for her to claim the use of sick leave granted to her as a part of her compensation package with Defendant, IASIS.

5.

Only after Petitioner had been relieved of duty did she take medication so she could drive home. At all times Petitioner followed doctor's orders and advice on how to manage her migraines.

6.

On May 18, 2017, Petitioner was fired from her employment. The firing was based upon the misconception that Petitioner's disability made it impossible for her to work as a registered nurse. In fact, Petitioner can fulfill all of the essential functions of a registered nurse by being granted the reasonable accommodation of time off when migraine headaches occur. Petitioner was terminated unlawfully because of her disability and request for accommodation.

7.

Alternatively, Petitioner was fired because she was perceived as disabled by the officers and agents of IASIS.

8.

After Petitioner was fired, Petitioner made it clear to agents and officers of IASIS that she would be pursuing a discrimination complaint. Subsequently, approximately one month after her dismissal and in retaliation for such statement, IASIS, acting through its officers and employees intentionally made unprivileged, false statements concerning her designed solely to intimidate her and prevent her from pursing her claims. On information and belief, Petitioner avers that it is the practice of IASIS to make such statements to prevent employees from pursuing their rights under Federal and State anti discrimination statutues.

9.

As a result of the foregoing Petitioner suffered great emotional distress and lost wages. Her reputation in the community has been damaged because of the false statements made against her.

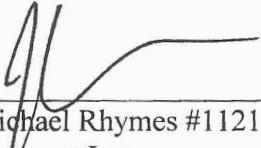
10.

On October 24, 2017, Petitioner filed a complaint of discrimination with the United States Equal Employment Commission. The EEOC issued a right to sue letter on February 15, 2018 which was received by defendant on February 25, 2018.

11.

Petitioner prays for trial by jury.

WHEREFORE, petitioner prays that after due proceedings there be judgment herein in her favor and against the defendant IASIS in a sum reasonable in the premises for all damages occasioned to her including back pay for lost time, compensatory damages for emotional distress, pain and suffering, compensatory damages for loss of reputation and good standing in the community, together with all costs and a reasonable attorney's fee.



J. Michael Rhymes #11212
Attorney at Law
1005 North Third Street
Monroe, LA 71201
(318) 388-4500 - telephone

Please withhold service until further notice.

CERTIFIED
TRUE COPY
JUL 26 2018
BY Shane Tolle
DEPUTY CLERK
4TH JUDICIAL DISTRICT COURT
OUACHITA PARISH, LA.

J. Michael Rhymes
Attorney at Law
1005 North Third Street
Monroe, Louisiana 71201
Phone: 318.388.4500
Email: jmrhymes@gmail.com

May 14, 2018

Ms. Louise Bond
Clerk of Court
Ouachita Parish Court House
via hand delivery

re: Dye v. IASIS

Dear Ms. Bond:

Please withhold service of process in the captioned matter until further notice.

Sincerely,
J. Michael Rhymes

xc:

10:41 AM 14 May 2018

RECEIVED

FILED

Hause
JUL 03 2018
DEPUTY CLERK
4TH JUDICIAL DISTRICT COURT
OUACHITA PARISH, LA

J. MICHAEL RHYMES
ATTORNEY AT LAW
1005 NORTH THIRD STREET
MONROE, LA 71201
(318) 388-4500
EMAIL: jmrhymes@gmail.com

July 3, 2018

Hand Delivered

Louise Bond
Ouachita Parish Clerk of Court
Post Office Box 1862
Monroe, LA 71210-1862

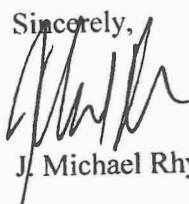
RE: Wendy Barr Dye
Vs. 18-1683
Iasis Glenwood Regional Medical Center

Dear Ms. Bond:

Please have the petition in the above captioned matter served on the defendant at the following address:

C T Corporation System
3867 Plaza Tower Drive
Baton Rouge, LA 70816

Enclosed is a service copy. There should be sufficient funds in our account. If you have any questions, please do not hesitate to contact our office.

Sincerely,

J. Michael Rhymes

JMR:ed

130034000000
RECEIVED
2018 JUL 3 PM 3:53
4TH JUDICIAL DISTRICT COURT
OUACHITA PARISH, LA

RECEIVED
CASE ASSIGNED TO
01/ SECT. 3

CERTIFIED
TRUE COPY

JUL 26 2018
Hause
BY DEPUTY CLERK
4TH JUDICIAL DISTRICT COURT
OUACHITA PARISH, LA.



OPC.CV.5207261

CTF

CITATION

WENDY BARR DYE

VS

**IASIS GLENWOOD REGIONAL
MEDICAL CENTER LP**

DOCKET NUMBER: C-20181683

SEC: C3

STATE OF LOUISIANA

PARISH OF OUACHITA

FOURTH JUDICIAL DISTRICT COURT

EAST BATON ROUGE PARISH

TO:

**IASIS GLENWOOD REGIONAL MEDICAL CENTER LP
THRU CT CORPORATION SYSTEM
3867 PLAZA TOWER DRIVE
BATON ROUGE, LA 70816**

YOU HAVE BEEN SUED.

Attached to this Citation is a certified copy of the Petition. The petition tells you what you are being sued for.

You must EITHER do what the petition asks, OR, within **FIFTEEN (15) days** after you have received these documents, you must file an answer or other legal pleadings in the Office of the Clerk of this Court at the Ouachita Parish Court House, 301 South Grand, Monroe, Louisiana.

If you do not do what the petition asks, or if you do not file an answer or legal pleading within **FIFTEEN (15) days**, a judgment may be entered against you without further notice.

This Citation was issued by the Clerk of Court for Ouachita Parish, on this **JULY 6, 2018**.

OUACHITA PARISH CLERK OF COURT

Also attached are the following:
PETITION

CONSTANCE T. FOY

By: _____
Deputy Clerk

FILED BY: J MICHAEL RHYMES

ORIGINAL

SERVICE COPY

FILE COPY



TO: Joyce Ramirez
Steward Health Care System LLC
117 Seaboard Ln, Dover Centre, Building
Franklin, TN 37067

RE: **Process Served In Louisiana**
FOR: IASIS Glenwood Regional Medical Center, LP (Domestic State: DE)

**Service of Process
Transmittal**
07/17/2018
CT Log Number 533708990

ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:

TITLE OF ACTION: WENDY BARR DYE, PLTF, vs. IASIS GLENWOOD REGIONAL MEDICAL CENTER, LP, DFT.

DOCUMENT(S) SERVED: Citation, Petition

COURT/AGENCY: 4th Judicial District Court, Parish of Ouachita, LA
Case # C20181683

NATURE OF ACTION: Employee Litigation - Wrongful Termination - 05/18/2017

ON WHOM PROCESS WAS SERVED: C T Corporation System, Baton Rouge, LA

DATE AND HOUR OF SERVICE: By Process Server on 07/17/2018 at 08:35

JURISDICTION SERVED : Louisiana

APPEARANCE OR ANSWER DUE: Within 15 days after you have received these documents

ATTORNEY(S) / SENDER(S): J. Michael Rhymes
1005 North Third Street
Monroe, LA 71201
318-388-4500

ACTION ITEMS: CT has retained the current log, Retain Date: 07/18/2018, Expected Purge Date: 07/23/2018

Image SOP

Email Notification, Joyce Ramirez joyce.ramirez@steward.org

Email Notification, Maria Bradford maria.bradford@steward.org

Email Notification, Lillie Bernard Lillie.Bernard@steward.org

Email Notification, Sara Rau Sara.Rau@steward.org

Email Notification, John Folcarelli john.folcarelli@steward.org

Email Notification, Margaret Applin margaret.applin@steward.org

SIGNED:
ADDRESS: C T Corporation System
3867 Plaza Tower Dr.
Baton Rouge, LA 70816-4378
TELEPHONE: 954-473-5503



OPC.CV.5207261

CTF

CITATION

WENDY BARR DYE

VS

**IASIS GLENWOOD REGIONAL
MEDICAL CENTER LP**

DOCKET NUMBER: C-20181683

SEC: C3

STATE OF LOUISIANA

PARISH OF OUACHITA

FOURTH JUDICIAL DISTRICT COURT

EAST BATON ROUGE PARISH

TO:

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THRU CT CORPORATION SYSTEM
3867 PLAZA TOWER DRIVE
BATON ROUGE, LA 70816**

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OUACHITA PARISH CLERK OF COURT

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PETITION

By: CONSTANCE T. FOY
Deputy Clerk

FILED BY: J MICHAEL RHYMES

ORIGINAL

SERVICE COPY

FILE COPY

**CERTIFIED
TRUE COPY**
JULY 6 2018
DEPUTY CLERK
4TH JUDICIAL DISTRICT COURT
OUACHITA PARISH LA

STATE OF LOUISIANA PARISH OF OUACHITA FOURTH JUDICIAL DISTRICT

WENDY BARR DYE

FILED: MAY 14 2018

v. No. 18-1683

IASIS GLENWOOD REGIONAL MEDICAL
CENTER, LP

Chelsea Qm
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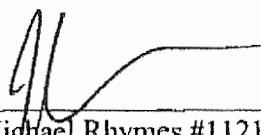
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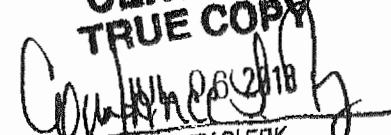
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J. Michael Rhymes #11212
Attorney at Law
1005 North Third Street
Monroe, LA 71201
(318) 388-4500 - telephone

Please withhold service until further notice.

**CERTIFIED
TRUE COPY**

7/30/2018
DEPUTY CLERK
4TH JUDICIAL DISTRICT COURT
OUACHITA PARISH, LA